


FORM PTO-1390 (REV. 12-2004)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>TIP-04-1339</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.51) <b>10/520809</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/JP2003/008751</b>		INTERNATIONAL FILING DATE <b>10 July 2003 (10.07.03)</b>		PRIORITY DATE CLAIMED <b>11 July 2002 (11.07.02)</b>	
TITLE OF INVENTION <b>THERAPEUTIC OR PREVENTIVE AGENT FOR NAUSEA/VOMITING</b>					
APPLICANT(S) FOR DO/EO/US <b>Koji Kawai, Akiyoshi Saito, Tomohiko Suzuki, Ko Hasebe and Tsutomu Suzuki</b>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input type="checkbox"/> Other items or information:</li> </ol>					

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/520809</b>		INTERNATIONAL APPLICATION NO. PCT/IP2003/008751		ATTORNEY'S DOCKET NUMBER TIP-04-1339	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee.....				\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee.....				\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee.....				\$ 500.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		Rate	
- 100 =	/50 =			x \$250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims		16 - 20 =	0	x \$50.00	\$
Independent claims		1 - 3 =	0	x \$200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$ 360.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,490.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				<b>\$1,490.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,490.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,490.00</b>	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$1,490.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 50-2719 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2719. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
 T. Daniel Christenbury, Reg. No. 31,750					
<b>Customer No. 035811, whose contact information is:</b> <b>IP Group of DLA Piper Rudnick Gray Cary US LLP</b> <b>One Liberty Place, Suite 4900</b> <b>1650 Market Street</b> <b>Philadelphia, PA 19103</b> <b>(215) 656-3381</b>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : Customer No.: 035811  
Examiner :  
Serial No. :  
Filed : Herewith  
PCT No. : PCT/JP2003/008751  
PCT Filed : July 10, 2003  
Inventors : Koji Kawai Docket No.: TIP-04-1339  
: Akiyoshi Saito Confirmation No.:  
: Tomohiko Suzuki  
: Ko Hasebe  
: Tsutomu Suzuki  
Title : THERAPEUTIC OR PREVENTIVE AGENT  
: FOR NAUSEA/VOMITING  
Dated: January 10, 2005

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**37 CFR 1.10  
EXPRESS MAIL CERTIFICATION**

"Express Mail" mailing label number: EV 525095524 US

Date of Deposit: January 10, 2005

DESCRIPTION OF CONTENTS: Postcard, \$1,490.00 Check, Application Transmittal Letter, Form PTO-1390, in duplicate, English translation of PCT Application as filed, including 28 pages of Specification, 5 pages of Claims, 2 pages of Abstract and 1 sheet of Drawings, Application Data Sheet (2 pages), Preliminary Amendment and copies of Form PCT/IB/308 and the first page of WO 2004/007503 A1.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to **Mail Stop PCT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Leslie Hood

(Typed or printed name of person mailing paper or fee)

*Leslie Hood*

(Signature of person mailing paper or fee)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner :  
Serial No. :  
Filed : Herewith  
PCT No. : PCT/JP2003/008751  
PCT Filed : July 10, 2003  
Inventors : Koji Kawai Docket No.: TIP-04-1339  
: Akiyoshi Saito Confirmation No.:  
: Tomohiko Suzuki  
: Ko Hasebe  
: Tsutomu Suzuki  
Title : THERAPEUTIC OR PREVENTIVE AGENT  
: FOR NAUSEA/VOMITING

Dated: January 10, 2005


APPLICATION TRANSMITTAL LETTER**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We submit herewith for filing in the U.S. Patent and Trademark Office an English translation of the above-identified PCT Application as filed, including 28 pages of Specification, 5 pages of Claims, 2 pages of Abstract and 1 sheet of Drawings, Application Data Sheet (2 pages), Preliminary Amendment, copies of Form PCT/IB/308 and the first page of WO 2004/007503 A1, Form PTO-1390, in duplicate, and our check in the amount of \$1,490.00, comprising the official filing fee.

Respectfully submitted,

  
T. Daniel Christenbury  
Reg. No. 31,750  
Attorney for Applicants

TDC:lh  
(215) 656-3381